



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**To:** Sandy Adams  
Acting Commissioner  
Virginia Department of Agriculture and Consumer Services  
  
Perida Giles  
Virginia Department of Agriculture and Consumer Services

**From:** Steven P. Jack  
Assistant Attorney General

**Date:** April 9, 2010

**Subject:** Memorandum of Authority for Proposed Amendments to Regulations for the Enforcement of the Virginia Gasoline and Motor Fuel Law, 2 VAC 5-420 *et seq.*

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I reviewed the proposed amendments to the Regulations for the Enforcement of the Virginia Gasoline and Motor Fuel Law, 2 VAC 5-420 *et seq.*, by the Board of Agriculture and Consumer Services (hereinafter “Board”). In my view, as counsel to the Virginia Department of Agriculture and Consumer Services, the Board has authority to promulgate these regulations, pursuant to § 59.1-156 of the *Code of Virginia*. The proposed regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed as a comment for or against the merits of the proposed regulations.